

## In the United States Court of Federal Claims

No. 19-67C

(E-Filed: August 15, 2019)

TONY ROWE, <u>et al.</u> ,	)
	)
Plaintiffs,	)
	)
v.	)
	)
THE UNITED STATES,	)
	)
Defendant.	)
	)

### ORDER

Currently before the court are defendant's motions to consolidate this matter with a number of directly-related cases. See ECF Nos. 8, 14. On March 4, 2019, the court suspended defendant's deadline to respond to plaintiffs' complaint due to these pending motions to consolidate. See ECF No. 16 (order). On March 18, 2019, the court reinstated defendant's deadline to answer, due to the "considerable number of objections and qualifications to the consolidation proposals." ECF No. 20 (order). On April 15, 2019, the defendant notified the court of the government's intent to file a motion to dismiss in lieu of an answer. See ECF No. 22. On May 3, 2019, the government filed its motion to dismiss this matter. See ECF No. 24.

The court has determined that in order to ensure that it makes only necessary legal determinations, the proper course of action is to defer ruling on the motions to consolidate until after the motions to dismiss are resolved. If the court were to work through the various arguments for and against consolidation and then consider motions to dismiss, some of the issues that the court ruled on in the first instance may prove irrelevant. Accordingly, for proper case management and docket clarity, the court hereby **DEFERS** ruling on the pending motions to consolidate, ECF Nos. 8 and 14, until further order of the court.

The court also takes this opportunity to draw to the parties' attention information related to the forthcoming changes to the court's electronic filing system. In order to facilitate the installation of NextGen, the court's updated electronic case filing system, electronic filing will be **suspended** for everyone—attorneys and court users—from

**12:00 p.m. on Friday, August 23, 2019, through 6:00 a.m. on Monday, August 26, 2019.** Although the clerk's office will be open on August 23, 2019, it will be deemed inaccessible under Rule 6 of this court's rules for purposes of calculating deadlines.

Additionally, all attorneys must have an individual, upgraded PACER account before August 26, 2019. Without the updated account, attorneys risk being temporarily locked out of the system. Information on how to register for a PACER account or upgrade an existing PACER account is available on the court's website at [http://www.uscf.uscourts.gov/cmecf\\_nextgen](http://www.uscf.uscourts.gov/cmecf_nextgen). The court's CM/ECF Help Desk is available to help with any questions, and can be reached at (202) 357-6402/03.

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith

PATRICIA E. CAMPBELL-SMITH

Judge